

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore)

THE ARBITRON COMPANY

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Plaintiff/Judgment Creditor

*

Case No.: 02-MC-312

v.

*

ON TOP COMMUNICATIONS, INC.
d/b/a WRXZ-FM, On Top Communications, LLC
4601 Presidents Drive, Suite 134
Lanham, Maryland 20706

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Defendant/Judgment Debtor

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**REQUEST OF PLAINTIFF/JUDGMENT CREDITOR
FOR WRIT OF GARNISHMENT OF PROPERTY
TO BE SERVED BY PRIVATE PROCESS**

DEAR CLERK:

A final judgment was entered in the United States District Court for the Southern District of New York on November 18, 2004, and registered in this Court on July 25, 2005. No supersedeas bond has been posted nor is there in effect at this time any stay of execution of or proceedings to enforce the judgment.

Please issue a Writ of Garnishment of Property other than wages pursuant to Fed. R. Civ. P. 64 and Maryland Rule 2-645(b) to:

Garnishee name: Bank of America, N.A.
100 North Tryon Street
Charlotte, NC 28225

For service upon: The Corporation Trust, Inc., Resident Agent
300 E. Lombard Street
Baltimore, MD 21202

Amount presently due and owing: \$473,124.34, plus post-judgment interest at the legal rate.

July 28, 2005

/S/

Severn E.S. Miller, Fed. Bar No. 11617

Thomas & Libowitz, P.A.

100 Light Street, Suite 1100

Baltimore, MD 21202

Voice: 410-752-2468

Fax: 410-752-2046

Attorneys for Judgment Creditor

The Arbitron Company

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore)

THE ARBITRON COMPANY

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4601 Presidents Drive, Suite 134
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Defendant/Judgment Debtor

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* * * * *

**WRIT OF
GARNISHMENT
OF PROPERTY**

AMOUNT OF JUDGMENT OWED:
\$473,124.34 as of 11/18/04
Plus post-judgment interest at the legal rate

WRIT ISSUED AS TO:
On Top Communications, Inc.
d/b/a WRXZ-FM and/or
On Top Communications, LLC

NOTICE TO JUDGMENT DEBTOR
AND GARNISHEE

Federal and State Exemptions may be
available to you – **see below**.

TO GARNISHEE: Bank of America, N.A.:
100 North Tryon Street
Charlotte, NC 28225

Serve on: The Corporation Trust, Inc., Resident Agent
300 E. Lombard Street
Baltimore, MD 21202

You are hereby directed to hold any property of the Judgment Debtor named above in your possession at the time of service of this Writ and all property of the Judgment Debtor that may come into your possession after the service of this Writ, including any debt owed the Judgment Debtor, whether immediately payable, unmatured, or contingent, subject to further proceedings in this Court. **YOU MUST FILE A WRITTEN ANSWER** within thirty (30) days after service of this Writ upon you. Failure to do so may result in judgment by default being entered against you, the

garnishee.

TO THE JUDGMENT DEBTOR:

You are hereby notified that you may file in the Office of the Clerk of this Court, within 30 days after service of the Writ of Garnishment on the garnishee, a motion electing to exempt from the garnishment selected items of property or cash not exceeding a total cumulative value of \$3,000. In addition, you have the right under Maryland or federal law to claim exemption of certain property or money including (1) A portion of earnings (Wage Income); (2) Welfare payments; (3) Social Security Disability Benefits and Supplemental Security Income Benefits; (4) Retirement Income (Public/Private), (5) Alimony and Child Support; (6) Unemployment and Workers' Compensation; (7) Disability and Health Insurance payments; (8) Annuities; (9) Life Insurance; (10) Household Goods, work tools, etc. You also have a right to file a motion for release of the garnished property before entry of judgment (Md. Rule 2-643[c]). All motions must be filed in the Office of the Clerk, U.S. District Court, Suite 4415, U.S. Courthouse, 101 W. Lombard Street, Baltimore, Maryland 21201 or 6500 Cherrywood Lane, Suite 240, Greenbelt, Maryland 20770, and must state the basis upon which the release of garnished property is sought. If a hearing is desired, it should be requested in the motion.

WITNESS the Honorable Chief Judge of the United States District Court for the District of Maryland.

Date Issued: _____

FELICIA C. CANNON
Clerk

Deputy Clerk

(NOTE: Promptly after service upon the garnishee, the person] making service shall mail a copy of this Writ to the judgment debtor's last known address. Service of this Writ shall be made in accordance with Md. Rule 2-121.)

ADDRESS OF JUDGMENT DEBTOR:

On Top Communications, Inc.
d/b/a WRXZ-FM, On Top Communications, LLC
4601 Presidents Drive, Suite 134
Lanham, Maryland 20706